

REMARKS/ARGUMENTS

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the foregoing amendment and the following remarks.

Presently, the Applicants have amended Claims 41 and 58. No other claims have been amended, canceled nor added. Accordingly, Claims 41-50, 52-53, 55-67, 69 and 70 are currently pending in the application.

I. Rejection of Claims 41-50, 52-53, 55-67 and 69-70 under 35 U.S.C. §101

The Examiner has rejected Claims 41-50, 52-53, 55-67 and 69-70 under 35 U.S.C. §101 as lacking utility. In essence, the Examiner is arguing that the independent Claims are internally contradictory and recite limitations that would render the device inoperable. In response, the Applicants have amended independent Claims 41 and 58 so as to remove any issue that the Examiner may have. Namely, the Applicants have amended such independent Claims to recite that the mesh grid is located within the drift space, the drift space being a region that, during operation, is substantially free of electric field lines/gradients originating from outside the drift space. Accordingly, the Examiner's inoperable argument no longer exists. Accordingly, the Applicants respectfully request the Examiner to withdraw the §101 rejection with respect to these Claims.

II. Rejection of Claims 41 and 58 under 35 U.S.C. §112

The Examiner has rejected Claims 41 and 58 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the

Applicants regard as their invention. In view of the previously discussed amendments, the Examiner's rejection of these claims on this point is moot. The Applicants therefore respectfully request the Examiner to withdraw the rejection.

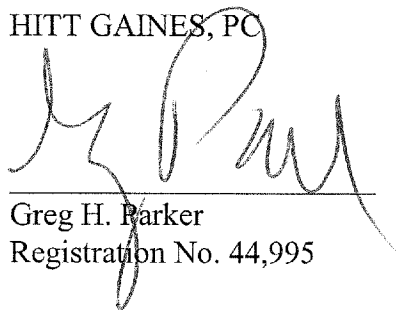
III. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 41-50, 52-53, 55-67, 69 and 70.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to deposit account 08-2395.

Respectfully submitted,

HITT GAINES, PC

A handwritten signature in dark ink, appearing to read 'Greg H. Parker', is written over a horizontal line.

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